

**NOTICE OF PROPOSED ACTION
AMENDMENT OF REGULATIONS**

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Department of Corrections and Rehabilitation
Corrections Standards Authority**

NOTICE IS HEREBY GIVEN that the Corrections Standards Authority (CSA), California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Penal Code Section 6035, proposes to amend Section 173 of Title 15, California Code of Regulations, Division 1, Chapter 1 Subchapter 1, concerning Standards and Training for Local Corrections and Probation Officers.

SCHEDULED PUBLIC HEARING DATE:

PUBLIC HEARINGS		
DATE	TIME	LOCATION
Tuesday, April 26, 2011	10:00 am	Corrections Standards Authority 660 Bercut Drive Sacramento CA 95811
Thursday, April 28, 2011	10:00 am	San Bernardino Valley College, 701 South Mount Vernon Ave. Life and Health Sciences Building, Room 138, San Bernardino, CA 92410

PUBLIC COMMENT PERIOD:

The public comment period **will begin on February 25, 2011 and will close on April 15, 2011 at 5:00 p.m.** The text with proposed amendments, Initial Statement of Reasons and the Notice of Proposed Action will be made available on the CSA's website at www.csa.ca.gov. To be considered by the CSA, comments regarding the proposed changes must be submitted to the CSA, before the close of the comment period.

CONTACT PERSONS:

Please submit comments to:

**Barbara Fenton, Field Representative
Corrections Standards Authority
Dept. of Corrections and Rehabilitation
600 Bercut Drive, Sacramento, CA 95811
Voice: (916) 323-8620
Fax: (916) 322-5036
E-Mail: barbara.Fenton@cdcr.ca.gov**

**Sukhjot Dhillon, Field Representative
Corrections Standards Authority
Dept. of Corrections and Rehabilitation
600 Bercut Drive, Sacramento, CA 95811
Voice: (916) 445-9154
Fax: (916) 322-5036
E-Mail: sukie.dhillon@cdcr.ca.gov**

LOCAL MANDATES:

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Sections 17500-17630.

FISCAL IMPACT STATEMENT:

- Cost or savings to any state agency None.
- Other nondiscretionary cost or savings None. Participation in the STC
imposed on local agencies: program is voluntary.
- Cost or savings in federal funding to the None.
state:

EFFECT ON HOUSING COSTS:

The CSA has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:

The CSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS:

The CSA has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES:

The CSA has determined that the proposed regulations will have no affect on small businesses. These proposed regulations affect operations and programs for local corrections.

ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION:

The CSA has determined that the proposed regulations will have no direct affect on job and/or business creation, elimination or expansion.

CONSIDERATION OF ALTERNATIVES:

The CSA must determine that no reasonable alternative considered by the CSA, or that has otherwise been identified and brought to the attention of the CSA, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS:

The CSA has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the amended regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR and the Notice of Proposed Action will also be made available on the CSA's website at www.csa.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS:

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the CSA's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT:

After considering all timely and relevant comments received, the CSA may adopt the proposed modified regulations substantially as described in this Notice. If the CSA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the CSA adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The CSA will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW:

Summary of Existing Laws:

California Penal Code Section 6035 authorizes the CSA to establish standards for local corrections and probation officers.

Summary of Existing Regulations:

Existing standards that prescribe requirements for local corrections and probation officers are promulgated by the Corrections Standards Authority. These regulations are contained in Title 15 – Crime Prevention and Corrections, Division 1, Chapter 1, Subchapter 1 of the California Code of Regulations (CCR).

Article 3. Minimum Standards for Training

§ 173. Probation Officer Core Course.

This section states the minimum number of hours for the length of the Probation Officer Core Course. The proposed revision calls for an increase to 196 hours from a current standard of 174 hours.

The proposed revision to the regulation will result in an increase in the minimum hours of instruction from 174 hours to 196 hours, for the Probation Officer Core Course. In response to concerns from the field regarding the adequacy of the Core Course, the Corrections Standards Authority conducted the Probation Officer Core Course Revision project. This project was divided into the following three phases: initial information gathering; curriculum revision; and review and distribution.

Information about the Probation Officer Core Course and the Probation Officer job specifications was incorporated from the most recent job analysis and from various constituents of the course. Representatives of the Chief Probation Officers of California (CPOC), were provided with a review of the research that was going to be conducted to revise the course. The next phase consisted of identifying the topics for the course and developing the course objectives. Finally, a total of 7 task force meetings were held at the CSA, involving 50 representative participants to complete the comprehensive recommended revisions. The job analysis involved input from local probation officers, supervisors, instructors and subject matter experts. The information was collected through a process of task force groups, on-site observations, document reviews, and written surveys.

The data and subsequent input indicated the need to increase the minimum number of hours in the Probation Officer Core Course from 174 hours to 196 hours in order to ensure staff proficiency in performing newly identified and expanded tasks.